

IC 11-12-5

Chapter 5. County Jails: Work; Temporary Release

IC 11-12-5-1

Inmates; clean and orderly quarters; general maintenance work

Sec. 1. (a) A person confined in a county jail may be required to keep his own living quarters clean and orderly.

(b) A person confined in a county jail upon conviction of a crime may be required to perform general maintenance work and assist in providing other services essential to the administration of the facility or program. As used in this subsection, "general maintenance work" does not include construction, remodeling, or repair of the facility.
As added by Acts 1979, P.L.120, SEC.5. Amended by P.L.72-1992, SEC.2; P.L.1-1993, SEC.67.

IC 11-12-5-2

Temporary release from custody; purpose; eligibility

Sec. 2. (a) The county sheriff may establish a program whereby persons who have been committed to the county jail upon conviction of a crime or adjudication of contempt may be temporarily released from custody to work, attend an academic or vocational training institution or program, or obtain medical, psychiatric, or psychological treatment, including treatment for drug addiction or alcoholism.

(b) A person is eligible for temporary release under this section unless:

- (1) the sentencing or committing court disapproves the person's release; or
- (2) the person has been convicted of a sex offense under IC 35-42-4 or IC 35-46-1-3.

(c) "Work" under this section includes assignment to a work party formed to perform any work the sheriff determines to be of benefit to the community.

(d) Persons on work parties formed under this section may be required to wear distinctive jail uniforms.

As added by Acts 1979, P.L.120, SEC.5. Amended by P.L.144-1995, SEC.2; P.L.264-1999, SEC.2.

IC 11-12-5-3

Earnings of person employed under this chapter; distribution; use of remaining amount; waiver of collection of room and board

Sec. 3. (a) Any earnings of a person employed under this chapter, less payroll deductions required by law and court ordered deductions for satisfaction of a judgment against that person, shall be collected by the county sheriff, probation department, county office of family and children, or other agency designated by the sentencing or committing court. Unless otherwise ordered by the court, the remaining earnings shall be distributed in the following order:

- (1) To pay state and federal income taxes and Social Security deductions not otherwise withheld.

- (2) To pay the cost of membership in an employee organization.
- (3) Not less than fifteen percent (15%) of the person's gross earnings, if that amount of the gross is available after the above deductions, to be given to that person or retained for the person, with accrued interest, until the person's release or discharge.
- (4) To pay for the person's room and board provided by the county.
- (5) To pay transportation costs to and from work, and other work related incidental expenses.
- (6) To pay court ordered costs, fines, or restitution.
- (b) After the amounts prescribed in subsection (a) are deducted, the remaining amount may be used to:
 - (1) when directed by the person or ordered by the court, pay for the support of the person's dependents (if the person's dependents are receiving welfare assistance, the appropriate office of family and children or welfare department in another state shall be notified of such disbursements); and
 - (2) with the consent of the person, pay to the person's victims or others any unpaid obligations of that person.
- (c) Any remaining amount shall be given to the person or retained for the person according to subsection (a)(3).
- (d) The collection of room and board under subsection (a)(4) may be waived.

As added by Acts 1979, P.L.120, SEC.5. Amended by P.L.2-1992, SEC.115; P.L.4-1993, SEC.16; P.L.5-1993, SEC.29.

IC 11-12-5-4

Application of IC 11-12-5-2 and IC 11-12-5-3

Sec. 4. Sections 2 and 3 of this chapter do not apply to a person serving a term of imprisonment under IC 35-38-2-2.3(c).

As added by Acts 1979, P.L.120, SEC.5. Amended by P.L.5-1988, SEC.62; P.L.1-1991, SEC.99.

IC 11-12-5-5

Health care copayments

Sec. 5. (a) This section does not apply to a person confined to a county jail who:

- (1) maintains a policy of insurance from a private company covering:
 - (A) medical care;
 - (B) dental care;
 - (C) eye care; or
 - (D) any other health care related service; or
- (2) is willing to pay for the person's own medical care.
- (b) Except as provided in subsection (c), a person confined to a county jail may be required to make a copayment in an amount of not more than fifteen dollars (\$15) for each provision of any of the following services:
 - (1) Medical care.
 - (2) Dental care.

- (3) Eye care.
 - (4) Any other health care related service.
 - (c) A person confined to a county jail is not required to make the copayment under subsection (b) if:
 - (1) the person does not have funds in the person's commissary account or trust account at the time the service is provided;
 - (2) the person does not have funds in the person's commissary account or trust account within sixty (60) days after the service is provided;
 - (3) the service is provided in an emergency;
 - (4) the service is provided as a result of an injury received in the county jail; or
 - (5) the service is provided at the request of the sheriff or jail administrator.
 - (d) Money collected must be deposited into the county medical care for inmates fund.
 - (e) Rules for the implementation of this section must be approved by the county legislative body.
- As added by P.L. 72-1994, SEC.1. Amended by P.L. 143-1995, SEC.2; P.L. 102-2002, SEC.1.*

IC 11-12-5-6

Medical care expenses

Sec. 6. (a) As used in this section, "medical care expenses" refers to expenses relating to the following services provided to a county jail inmate:

- (1) Medical care.
 - (2) Dental care.
 - (3) Eye care.
 - (4) Any other health care related service.
 - (b) The medical care expenses of a person committed to a county jail by another county are the responsibility of the committing county.
 - (c) The medical care expenses of a person committed to a county jail by the department of correction are the responsibility of the department of correction.
- As added by P.L. 141-1999, SEC.1.*